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## **MEMORANDUM**

TO: Members of the Assembly Committee on Transportation

FROM: Janet R. Swandby and Kathi Kilgore, Lobbyists

RE: **Support for Assembly Bill 407**

Wisconsin's outdoor advertisers urge you to support AB 407. This bill will clarify that repairs can be made to nonconforming signs up to 50% of replacement cost of the sign every 36 months. Passage of this law will help the DOT and sign owners determine what repairs can be made to signs, help avoid costly litigation, and encourage sign owners to complete needed repairs to their signs which will be in the best interest of the traveling public and Wisconsin's tourism industry.

This bill passed the Assembly on a bi-partisan vote in the 2003-04 legislative session, and the Senate Transportation Committee voted unanimously to recommend passage, but there was not time for the Senate to vote on the bill.

### **What's the problem?**

Every year, lawfully constructed billboards become nonconforming. The owners of these signs did nothing to change the status of the sign. Instead, a change made by the state or local government means that a legal sign becomes nonconforming.

Wisconsin law and administrative rules already limit the repairs that can be made to a nonconforming sign to 50% of replacement cost. This bill only clarifies the timeframe.

### **How large is the problem?**

Almost half of all billboards in Wisconsin are considered nonconforming by Wisconsin DOT, which means that repairs are limited on all of these signs.

These are not all old, wooden structures. Fewer than 3% of all the billboards in Wisconsin today were made nonconforming when the Federal Highway Beautification Act was implemented in 1972.

### **What do other states allow?**

Almost all states have similar regulations. This bill is modeled after Minnesota and North Carolina's laws.

**Why is this issue important for Wisconsin?**

Most of the nonconforming signs in Wisconsin advertise tourism businesses -- hotels, tourism attractions, restaurants, golf courses, campgrounds, and gas stations. The State's economy is heavily dependent on the tourism industry.

Today owners of nonconforming signs are wary of making repairs to their signs because the limits are so vague. As a result, there are signs which are obviously in need of repair.

Dilapidated signs are an eyesore and do not reflect well on the State, especially to the out-of-state traveler. Well-maintained signs which can continue to advertise Wisconsin businesses are beneficial to the State and its economy.

**Conclusion**

The members of the Outdoor Advertising Association of Wisconsin urge you to recommend passage of AB 407. If you have questions about this issue, please feel free to give us a call at 608.286.0764 or contact us at [Swandby@swandby.com](mailto:Swandby@swandby.com) or [Kilgore@swandby.com](mailto:Kilgore@swandby.com)